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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,733	03/31/2004	Van Hoa Lee	AUS920040057US1	7203

35525   7590   06/06/2007
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EXAMINER
CAMPOS, YAIMA

ART UNIT	PAPER NUMBER
2185	

MAIL DATE	DELIVERY MODE
06/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Advisory Action **Before the Filing of an Appeal Brief**	10/814,733	LEE, VAN HOA
	Examiner	**Art Unit**	
	Yaima Campos	2185	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>23 May 2007</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☒ The period for reply expires <u>3 </u>months from the mailing date of the final rejection.

   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

     Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b) ☐ They raise the issue of new matter (see NOTE below);

   (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

     NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____.

   Claim(s) objected to: _____.

   Claim(s) rejected: <u>1-20</u>.

   Claim(s) withdrawn from consideration: _____.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet.</u>

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.

13. ☐ Other: _____.

Continuation of 11. does NOT place the application in condition for allowance because:

Regarding Applicant's remark that the combination of Arndt and Stine does not disclose "wherein maintaining the mapping table further comprises maintaining the mapping table in a physical address space allocated to one of the first and second physical address ranges, and wherein the physical address space is unavailable to an operating system accessing the first and second physical address ranged;" the Examiner disagrees and respectfully submits that Arndt discloses these limitations.

Arndt discloses "wherein maintaining the mapping table further comprises maintaining the mapping table in a physical address space allocated to one of the first and second physical address ranges," as ["address translation system 300 includes multiple operating systems (OSs) 302-308, a hypervisor 310, an allocation table 380, a page frame table per OS image 320-350, and physical resources 360" (Col. 5, lines 39-43) wherein "page frame tables 320-350 each contain a table of translations of OS virtual addresses to actual physical addresses to physical resources 360" (Col. 5, line 59-Col. 6, line 3) (Figure 3 and related text). Applicant should note that since each OS image/logical partition has a separate page frame table (for virtual to physical address translation; which occupies a portion of physical memory) and physical resources assigned to it; the combination of the physical memory assigned to this page frame table and the physical memory assigned to physical resources comprises the total physical address space allocated to each of the different address ranges/logical partitions/OS images; therefore, maintaining a mapping table in a physical address space allocated to each physical address range and disclosing "maintaining the mapping table further comprises maintaining the mapping table in a physical address space allocated to one of the first and second physical address ranges" as claimed]

and "wherein the physical address space is unavailable to an operating system accessing the first and second physical address ranged" as [Arndt discloses this limitation as "If the requested resource has been allocated to the requesting OS 302-308, then hypervisor 310 modifies page frame table 320, if necessary, such that the OS's 302-308 virtual address is mapped to the corresponding physical address of the requested resource. The various OSs 302-308 are prevented from modifying page frame tables 320, thus further ensuring that the logical partitions within the data processing system are maintained" (Col. 6, lines 35-42) and explains "the single hardware pointer to the virtual address translation page frame table in each of processors 232-238 is made unmodifiable by any of the OSs 202-208" (Col. 5, lines 13-15) wherein "the present invention removes the virtual address translation hardware 280 from the direct control of the OSs 202-208. Instead, hypervisor 210 controls platform's 200 virtual address translation hardware 280" (Col. 4, lines 64-67); therefore, disclosing that the physical address space assigned to page frame tables/mapping tables is made unavailable to an operating system accessing the different partitions or physical address ranges as claimed and disclosed in Applicant's Specification (Pages 8-9)].

Therefore, it is the Examiner's position that for at least the reasons recited above, the request for reconsideration filed on May 23, 2007 fails to patentably distinguish the instant application from the cited prior art of record.

5/30/2007

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